

BOARD OF ADJUSTMENT

MEETING AGENDA Thursday, March 26, 2015 4:30 p.m.

*Pledge of Allegiance

Regular Agenda Items

1. Minutes Approval of the August 28, 2014 meeting minutes

2. BOA 2014-01 Consideration and action on a variance request for a variance for a series of lots whose deeds

do not match the occupied land and fences. The variance would include lot areas, width, and

setbacks to structures. Property is located in the Forest-5 (F-5) Zone at approximately

148 N 10630 E, Huntsville UT (Ron Hanson, Applicant)

3. Election: Election of Chair and Vice Chair for 2015

4. Schedule &

Information: 2015 Meeting Schedule and Member Information List

5. Rules of Order: Consideration and Action the Board of Adjustment Rules of Order

6. Adjournment:

The meeting will be held in the Weber County Commission Chambers, in the Weber Center, $1^{\rm st}$ Floor, 2380 Washington Blvd., Ogden, Utah



In compliance with the Americas with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8791.

BOARD OF ADJUSTMENT AUGUST 28, 2014

Minutes of the Board of Adjustment Meeting held August 28, 2014 in the Weber County Commission Chambers, 1st Floor, 2380 Washington Blvd, commencing at 4:30 P.M.

Present: Deone Smith, Chair; Rex Mumford; Phil Hancock; Celeste Canning;

Absent: Doug Dickson;

Staff Present: Sean Wilkinson, Planning Director; Kary Serrano, Secretary

*Pledge of Allegiance

Regular Agenda Items

1. Minutes: Approval of the May 22, 2014 meeting minutes

MOTION: Phil Hancock moved to approve the May 22, 2014 meeting minutes as written. Celeste Canning seconded.

VOTE: A vote was taken with all members present voting aye. Motion Carried (4-0).

- 2. Planning Director's Report: Sean Wilkinson indicated that on October 9, 2014 training will be held with the State Property Rights Ombudsman at 5 p.m. He will spend about an hour and a half with his presentation and answer any questions that you might have. Also, Mr. Dickson's term has expired and we have advertised for someone to fill that seat for Board of Adjustment. He can reapply, our alternates can apply, or someone from the outside can apply as well. The advertisement closes in about a week and they will be informed of the results from the County Commission.
- 3. Adjournment: The meeting was adjourned at 4:45 p.m.

Respectfully Submitted,

Kary Serrano, Secretary;

Herry Servino

Weber County Planning Commission

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Western Weber County Township

Ogden Valley Township (1st Tues. Work Session)

(Scheduled only if a case is received) **Board of Adjustment**

WACOG

County Holidays

Pay Days

Wed. Jan 14 - PC/BOA Annual Dinner

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Western Weber County Township

Ogden Valley Township (1st Tues. Work Session)

(Scheduled only if a case is received) Board of Adjustment

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WEBER COUNTY BOARD OF ADJUSTMENT RULES OF PROCEDURE AND ETHICAL CONDUCT

A Board of Adjustment shall be governed by the provisions of all applicable Statutes, County Ordinances and these rules.

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MEMBERS

The Board of Adjustment shall each consist of five voting members, and two alternates, all of whom shall be citizen members appointed by the County Commission in accordance with the provisions of Utah Code

Annotated and Weber County Ordinances.

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OFFICERS AND DUTIES

A. Chair and Vice Chair

The Board of Adjustment shall elect annually, during the first regularly scheduled meeting in January, a Chair and Vice Chair who may be elected to succeed themselves for one additional term only. The Chairman shall be elected from the voting members of the Board of Adjustment by a majority of the total membership. The Chair, or in his/her absence or incapacity, the Vice Chair, shall preside over all meetings and hearings of the Board of Adjustment and shall execute all official documents and letters of the Board of Adjustment.

B. <u>Secretary</u>

The Director of Planning or his/her designated Staff member shall be the Secretary of the Board of Adjustment.

III

MEETINGS

A. Quorum

Three (3) or more members shall constitute a quorum for the transaction of business and the taking of official action; however, in the case of only three members in attendance, a unanimous vote shall be required to approve or deny an application.

B. Time of Meeting

Regular meetings shall be held on the second and fourth Thursdays of each month, or at the call of the Chair, at a time to be scheduled by Staff in the Weber County Commission Chambers of the Weber Center, 2380 Washington Blvd., Ogden. The date of the regular meeting may be changed by the majority of the total membership of the Board of Adjustment provided at least one week notice is given each member of the new date of a regular meeting.

C. Meetings Open to the Public

All regular or special meetings of the Board of Adjustment shall be open to the public.

D. Order of Business

The order of business shall be:

- 1. Approval of the minutes of previous meeting
- 2. Petitions for Variance, Special Exceptions or other applicable matters.
- 3. Other Business
- 4. Adjournment

The Board of Adjustment may change the order of business or consider matters out of order for the convenience of the applicants or other interested persons.

E. Voting

An affirmative vote of the three (3) or more of the voting members present at the meeting shall decide all matters under consideration by the Board of Adjustment unless otherwise provided for in these rules.

Voting shall be by voice vote. The Chair votes on all questions unless the Chair has declared a conflict of interest on a specific issue under consideration before the Board of Adjustment. No voting member of the Board shall be allowed to abstain from voting on any matter under consideration by the Board, unless that member has declared a conflict of interest on the matter under consideration before the Board of Adjustment.

F. Parliamentary Procedure

Parliamentary procedure in Board of Adjustment meetings shall be governed by Robert's Rules of Order, as revised.

G. Suspension of Rules

The Board of Adjustment may suspend any of these rules by a majority vote of the entire Board.

H. Record of Meetings

The Secretary of the Board of Adjustment shall keep an accurate record of the proceedings and perform other duties as the Board of Adjustment may determine.

J. Meeting Agenda

The Planning Director or his designated Staff member shall review items proposed for the Board of Adjustment meeting agenda to determine whether all requirements necessary for Board of Adjustment consideration have been complied with. The Board shall establish reasonable deadlines for submission of applications and other items for Board of Adjustment consideration prior to a Board of Adjustment meeting to allow sufficient time for staff and agency review.

K. Non Performance or Misconduct - Removal from Office

In the event any member of the Board of Adjustment shall fail to attend more than seventy percent of the Board of Adjustment meetings held during any one year, the member may be removed from office by an affirmative vote of the majority of the County Commission. Any member of the Board of Adjustment may be removed for cause, upon written charges, by an affirmative vote of the majority of the County Commission. The member shall be provided a Public Hearing, if requested.

IV

CONSIDERATION OF APPLICATIONS

A. Hearing Procedure

Any person may appear in person, by agent or attorney at any meeting of the Board of Adjustment. The order of procedure in the hearing of each application shall be as follows:

- Presentation by the Planning Staff of the application, including staff recommendation.
 Presentation shall include the reading of pertinent written comments or reports concerning the application.
- Additional presentation by applicant or his/her agent.
- Public comments in favor of application.

- Public comments against application.
- Rebuttals by invitation of the Chair.

B. Decisions

Decisions and/or recommendations of the Board of Adjustment shall be final at the end of the meeting at which the matter is decided. The Board of Adjustment Staff shall send a Letter of Decision to the applicant, his/her attorney or agent.

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RULES OF ETHICAL CONDUCT FOR A BOARD OF ADJUSTMENT MEMBER

Preamble

- Ethical practice has special relevance to all people who are charged with responsibilities in public service. Board members, whose decisions and actions have long-range consequences for later generations, must be keenly concerned to adhere to ethical principles.
- 2. Codes of ethics, as commonly adopted, present a catalog of temptations that are prohibited. It cannot be an exhaustive catalog: human imagination is sufficiently rich to discover new variations of old temptations. The existence of a code simply puts a challenge, to some, to find a gap or loop-hole. Emphasis must be put not on the letter of prohibition but on the spirit of observance. A performance standard of ethical behavior will be superior to a specification standard.

A. Conflict of Interest

A Board of Adjustment member to whom some private benefits may come as the result of a Board of Adjustment action should not be a participant in the action.

- The private benefit may be direct or indirect, create a material, personal gain or provide a distinct advantage to relations or to friends or to groups and associations which hold some share of a person's loyalty. However, mere membership itself in a group or organization shall not be considered a conflict of interest as to Board of Adjustment action concerning such groups or associations unless a reasonable person would conclude that such membership in itself would prevent an objective consideration of the matter.
- 2. A Board member experiencing, in his/her opinion, a conflict of interest, should declare his/her interests publicly, abstain from voting on the action, and may excuse himself/herself from the

room during consideration of the action. He/she should not discuss the matter privately or with any other Board member. The vote of a Board member experiencing a conflict of interest who fails to disqualify himself shall be disallowed.

- A conflict of interest may exist under these rules although a Board member may not believe he/she has an actual conflict; therefore, a Board member who has any question as to whether a conflict of interest exists under these rules should raise the matter with the other Board members and the County Attorney's representative in order that a determination may be made as to whether a conflict of interest exists.
- 4. No Board of Adjustment member should engage in any transaction in which he/she has a financial interest, direct or indirect, with the agency or jurisdiction that he/she serves unless the transaction is disclosed publicly and determined to be lawful.
- 5. The Board members that the County Commission, in making appointments to the Board of Adjustment, not attempt to exclude whole categories or associations of business, professional, or other persons in anticipation of conflict of interest problems. The service of competent people of good character need not be sacrificed. Their withdrawal from participation in planning matters is necessary only in those specific cases in which a conflict of interest arises.

B. Gifts and Favors

Gifts, favors or advantages must not be accepted if they are offered because the receiver holds a position of public responsibility.

The value of a gift or advantage and the relation of the giver to public business should be considered in determining acceptability. Small gifts that come in the form of business lunches, calendars or office bric-a-brac are often, not always, acceptable. In cases of doubt, refuse. In cases of marginal doubt, refuse.

C. Treatment of Information

It is important to discriminate between information that belongs to the public and information that does not.

Reports and official records of a public agency must be open on an equal basis to all inquiries.
 Advice should not be furnished to some unless it is available to all.

- 2. Information on private affairs that is learned in the course of performing planning duties must be treated in confidence. Private affairs become public affairs when an official action -- such as an application for Variance or Special Exception -- is requested with respect to them. Only then is a disclosure of relevant information proper.
- Information contained in studies that are in progress should not be divulged except in accordance with established agency policies on the release of its studies.
- 4. Prearranged private meetings between a Board of Adjustment member and applicants, their agents, or other interested parties are prohibited. Partisan information on any application received by a Board of Adjustment member whether by mail, telephone, or other communication should be made part of the public record.

D. Political Activity

Membership in a political party and contributions to its finances or activities are matters of individual decision that should neither be required of nor prohibited to Board of Adjustment members.

- The extent of participation in political activities should be governed by professional judgment as well as limited by any applicable civil service law or regulation.
- 2. The powers of the Board of Adjustment must not be exercised, nor their duties performed, in any way that will create special advantages for a political party. The special position of a Board of Adjustment member should not be used to obtain contribution or support for a political party and should not be used to obtain partisan favors.
- Partisan debate of a community's planning program and the consideration of planning in a party's platform is proper. Planning Officials should, however, give political parties equal access to information.



Staff Report to the Weber County Board of Adjustment

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for a variance for a series of lots whose deeds do not

match the occupied land and fences. The variance includes lot areas, widths and setbacks

to structures.

Agenda Date:

Thursday, March 26, 2015

Applicant:

Ron Hansen

File Number:

BOA 2015-01

Property Information

Approximate Address:

148 N 10630 East; Huntsville, UT

Project Area:

2.93 acres

Zoning:

Forest Zone (F-5)

Existing Land Use:

Residential

Proposed Land Use:

Remain as existing

Parcel ID:

20-047-0014

Township, Range, Section: T6N, R2E, Section 14

Adjacent Land Use

North:

Eagles Campground

South:

Residential

East:

Residential

West:

Residential

Staff Information

Report Presenter:

Ben Hatfield

bhatfield@co.weber.ut.us

801-399-8766

Report Reviewer:

JG

Applicable Codes

- Weber County Land Use Code Title 102 (Administration) Chapter 3 (Board of Adjustment)
- Weber County Land Use Code Title 104 (Zones) Chapter 9 (Forest F-5 Zone)

Background

The applicant is requesting a variance for a reduction to the lot width requirements of the Forest F-5 Zone and any other lot width, lot area, or setback requirements which may result in a shift of property lines.

The application (Exhibit A) and an explanation of the request (Exhibit B) have been prepared by the applicant's surveyor. Exhibits C through G explain that through a series of deeds, occurring prior to the 1966 zoning regulations in the area, properties were created by deeds which do not match up with the fences or areas occupied by the owners. The effect of a missed call in the deeds placed the property lines not quite far enough west to an old rock wall, which always was understood to be the property line.

The request would result in a shift of those deeded properties further west to the wall. By doing this, it is suggested that the shift be reflected as a subdivision plat which can best illustrate the properties and improvements. As the rock wall does not have the same directional bearing as the deeds, which will result in Mr. Hansen's lot having a width of approximately 66.03 feet at the front lot line. Mr. Hansen's lot, however, will then be wider than the deeded 100 feet in the rear. The difference in area is approximately equal. As new lot lines are established next to existing homes which were built prior to zoning requirements, setbacks may not exactly meet current requirements. Staff suggests that the variance request allow flexibility for the owners to place lot lines so that reasonable and traditional setbacks are maintained. No new building lots will be created in this process.

Summary of Board of Adjustment Considerations

Title 102 Chapter 3 of the Weber County Land Use Code states that one of the duties and powers of the Board of Adjustment is to hear and decide variances from the requirements of the Weber County Land Use Code. In order for a variance to be granted it must be shown that all of the following criteria have been met:

- a. Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the Land Use Code.
 - 1. In determining whether or not literal enforcement of the land use code would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship unless the alleged hardship is located on or associated with the property for which the variance is sought, and comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.
 - 2. In determining whether or not literal enforcement of the land use code would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship if the hardship is self-imposed or economic.
- b. There are special circumstances attached to the property that do not generally apply to other properties in the same zone.
 - 1. In determining whether or not there are special circumstances attached to the property, the appeal authority may find that special circumstances exist only if the special circumstances relate to the hardship complained of, and deprive the property of privileges granted to other properties in the same zone.
- c. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.
- d. The variance will not substantially affect the general plan and will not be contrary to the public interest.
- e. The spirit of the land use ordinance is observed and substantial justice done.

Staff's analysis and findings are discussed below:

- a. This scenario is reflective of why zoning regulations need to be in place and prevent discrepancies in properties. Literal enforcement of the Land Use Code would require removal of some homes. As these structures were built prior to zoning regulations and cause no issues to surrounding properties, they should be allowed to continue as varied or by nonconformity. This request is not self-imposed but rather a correction to an error made 61 years ago.
- b. The special circumstances attached to this property are based on the fact that the deeds created prior to the requirements contained an error which misplaced them in relation to historic markers.
- c. Zoning gives the property owner rights to construct a dwelling unit. Based on the current situation homes would need to be removed as they are not fully on the property described by deed.
- d. The General Plan indicates this area should allow and be preserved for single-family dwellings, no changes are proposed.
- e. This variance request is not an attempt to avoid or circumvent the requirements of the County Land Use Code, but to correct a mistake that occurred many years ago, and render any lot width, lot area, or setback requirements legal. Granting the request would serve as substantial justice to allow the current owners enjoyment of their property as has been done for 61 years.

Conformance to the General Plan

Single-family dwellings are allowed as a permitted use in the F-5 Zone and granting this request will not increase the number of dwelling units in the area. If the requested variance is granted, it will not have a negative impact on the goals and policies of the Ogden Valley General Plan.

Conditions of Approval

- Meet all other applicable review agency requirements.
- Record a subdivision plat which reflects changes which have been proposed and addressed in the variance request.
- That no new building lots are created other than the 5 not associated with the Eagle's Campground.
- That the reconfigured lot lines follow within reason the traditionally occupied area of each lot.
- That these lots be allowed to continue to have access by the private right of way since 1954.

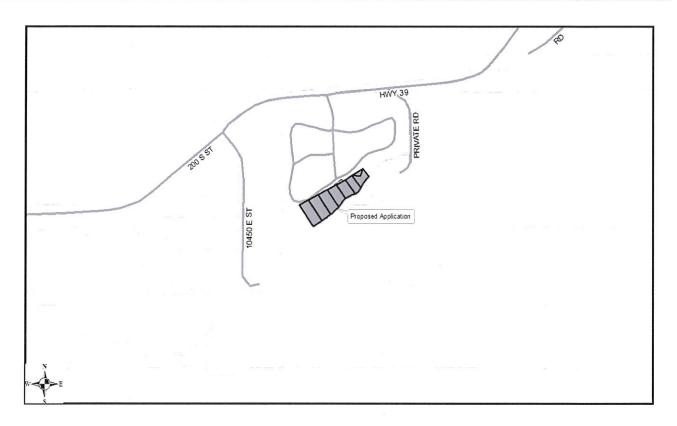
Staff Recommendation

Staff recommends *approval* of the variance for this series of lots of differences which may occur when subdividing regarding a reduction to the lot width, area, or setbacks so that traditional locations are honored. This recommendation is based on its compliance with the applicable variance criteria discussed in this staff report.

Exhibits

- A. Applicant's Narrative
- B. Surveyor's Explanation
- C. Ownerships of the affected parcels
- D. 1966 Ownership plat
- E. Agreement between owners
- F. 1954-1956 deeds creating the lots of record
- G. Maps showing the difference between deeds verses occupation

Location Map





W	eber County Boar	rd of Adjustment App	lication		
Application submitta	als will be accepted by appointmen	t only. (801) 399-8791. 2380 Washington B	lvd. Suite 240, Ogden, UT 84401		
Date Submitted / Completed	Fees (Office Use) \$225.00	Receipt Number (Office Use)	File Number (Office Use)		
Property Owner Contact	Information				
Name of Property Owner(s) Hanson Family Revocable Trust		Mailing Address of Property Owne 529 Emerald Bay Laguna Beach, CA 92651			
Phone (949) 395-1367	Fax (949) 644-1142				
Email Address rondell.hanson@gmail.com		Preferred Method of Written Corre			
Authorized Representati	ve Contact Information				
Name of Person Authorized to Re Rondell B. Hanson	present the Property Owner(s)	Mailing Address of Authorized Per 529 Emerald Bay Laguna Beach, CA 92651	son		
Phone (949) 395-1367	Fax (949) 644-1142	2034111 300011, 3173-317			
Email Address rondell.hanson@gmail.com		Preferred Method of Written Corre			
Appeal Request					
An Interpretation of the Zo An Interpretation of the Zo A hearing to decide appeal Ordinance Other:	ning Map	there is an error in any order, requirement, de	ecision or refusal in enforcing of the Zoning		
Property Information Approximate Address 148 N 10630 E Huntsvlille UT 84317		Land Serial Number(s) 21-019-0007			
Current Zoning R-1					
Existin	g Measurements	Required Med	surements (Office Use)		
Lot Area 20,608 sq feet	Lot Frontage/Width 66.03'	Lot Size (Office Use)	Lot Frontage/Width (Office Use)		
Front Yard Setback	Rear Yard Setback	Front Yard Setback (Office Use)	Rear Yard Setback (Office Use)		
Side Yard Setback	Side Yard Setback	Side Yard Setback (Office Use)	Side Yard Setback (Office Use)		

Exhibit A-1

Applicant Narrative	
Please explain your request. This lot adjoins the Fraternal Order of Eagles campground. An existing fence has been in fence line is attached. The Eagles and the Hanson family have reached an agreement to malso attached. The Eagles have constructed facilities and utilities that border the fence the years with the assumption that the fence line is the property boundary. The Applicant will convey a part of their property so that the fence line will become the new westerly lot line road ends at the northeasterly corner of the lot. A variance is requested because the no condition peculiar to this property and has no application to any of the surrounding area Applicant if the long-standing fence has to be removed and the existing infrastructure destants.	nodify the lot line to follow the fence. A copy of the letter agreement hat will be very difficult to move. The lot has been occupied over the I quitclaim a portion of the lot to the Eagles and the Eagles, in turn, we. The lot does not actually front on a public right-of-way. The priva ortherly lot line of the lot when modified is only 66.03 feet. This is is. There will be an unreasonable hardship to both the Eagles and the control of the lot when modified is only 66.03 feet.
Variance Request	
he Board of Adjustment may grant a variance only if the following five criteria are met. Plea	20 120 120 120 120 120 120 120 120 120 1
. Literal enforcement of the ordinance would cause an unreasonable hardship for the appli oning Ordinance.	icant that is not necessary to carry out the general purpose of the
. In determining whether or not enforcement of the land use ordinance would cause unrea ardship unless the alleged hardship is located on or associated with the property for which property, not from conditions that are general to the neighborhood.	isonable hardship, the appeal authority may not find an unreasonable the variance is sought, and comes from circumstances peculiar to the
. In determining whether or not enforcement of the land use ordinance would cause unrea ardship if the hardship is self-imposed or economic.	asonable hardship, the appeal authority may not find an unreasonabl

Variance Request (continued)	
2. There are special circumstances attached to the property that do not generally apply to the other properties in the san	ne zone.
a. In determining whether there are special circumstances attached to the property, the appeal authority may find that special circumstances relate to the hardship complained of, and deprive the property of privileges granted to other property.	pecial circumstances exist only if the erties in the same zone.
Please describe the special circumstances attached to the property that do not generally apply to the other properties in	the same zone:
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3. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the sa	ame zone.
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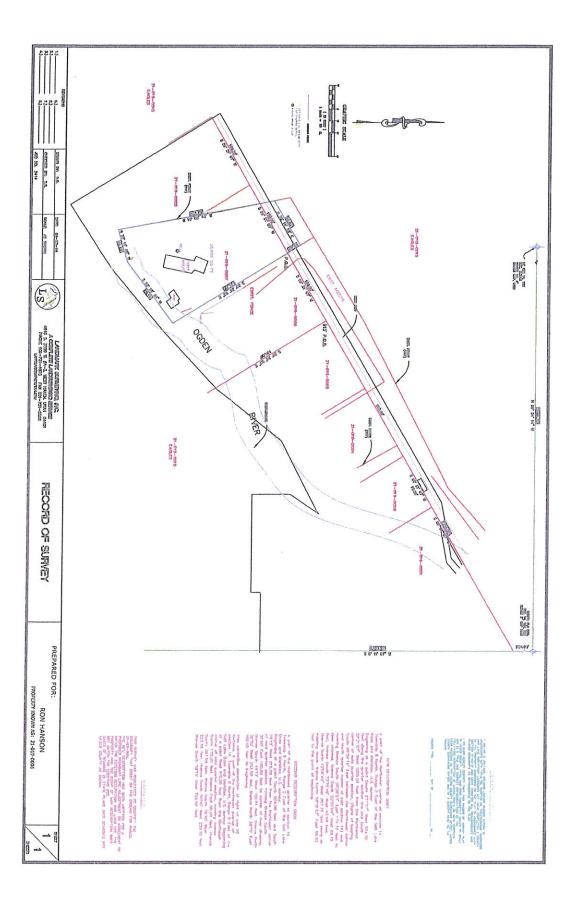
Variance Request (continued)	
4. The variance will not substantially affect the general plan and will not be contrary to	the public interest.
5. The spirit of the land use ordinance is observed and substantial justice done.	
w.	
Property Owner Affidavit	
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and that the statements herein contained, the information provided in the attached pl	(we) am (are) the owner(s) of the property identified in this application lans and other exhibits are in all respects true and correct to the best of
my (our) knowledge.	
The state of the s	
(Property-Owner)	(Property Owner)
Koudello Harrisa	(Property Owner)—
Subscribed and sworn to me thisday of20 P	HACTEC
See See	
	(Notary)
Authorized Representative Affidavit	
(our) representative(s), Rendell & Handell & Handell	al property described in the attached application, do authorized as my present me (us) regarding the attached application and to appear on ing this application and to act in all respects as our agent in matters
nertaining to the attached application	ing this application and to act in all respects as our agent in matters
Housen Foundy Rescale Trust by Londoll & Hauson Trustee	
b Tankell & Hauson Toustee	TRISL
(Property Owner)	(Property Owner)
Dated thisday of, 20, personally appeared b signer(s) of the Representative Authorization Affidavit who duly acknowledged to me the	and thou avacuted the same
signer(s) of the representative Authorization Amdavit who duly acknowledged to the ti	sed form
	(Notary)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.	
document to which this certificate is attached, and not	the frutilulless, accuracy, or validity of that document.
State of California	
County of Orange	
On 3/ 3/ 15 before me,	Patricia Nouger, potary Polic, Here Insert Name and Title of the Officer
personally appeared	11 B. Hanson
politically appeared	Name(s) of Signer(s)
subscribed to the within instrument and acknow	
	I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
	WITNESS my hand and official seal.
PATRICIA NGUYEN Commission # 1955721 Notary Public - California Orange County My Comm. Expires Nov 5, 2015	Signature Of Notary Public
	PTIONAL ————————————————————————————————————
	s information can deter alteration of the document or is form to an unintended document.
Description of Attached Document Title or Type of Document:	Document Date:an Named Above:
Capacity(ies) Claimed by Signer(s) Signer's Name:	Signer's Name:
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□ Partner — □ Limited □ General	□ Partner — □ Limited □ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee☐ Guardian or Conservator☐ Other:
□ Other: Signer Is Representing:	

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document. State of California County of ____ before me, Patricia Lauren, notary Public, Here Insert Name and Title of the Officer Rondell B. Hanson personally appeared Name(s) of Signer(s) who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal. PATRICIA NGUYEN Commission # 1955721 Signature Signature of Notary Public Motary Public - California Orange County My Comm. Expires Nov 5, 2015 Place Notary Seal Above - OPTIONAL -Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document. Description of Attached Document Title or Type of Document: Document Date: Number of Pages: _____ Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name: Signer's Name: ☐ Corporate Officer — Title(s): _____ ☐ Corporate Officer — Title(s): _____ ☐ Partner — ☐ Limited ☐ General ☐ Partner — ☐ Limited ☐ General ☐ Individual ☐ Attorney in Fact ☐ Individual ☐ Attorney in Fact ☐ Guardian or Conservator ☐ Trustee ☐ Trustee ☐ Guardian or Conservator Other: Other: Signer Is Representing: Signer Is Representing:

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A-7



4646 South 3500 West - #A-3 West Haven, Utah 84401 (801) 731-4075 Office

March 10, 2015

Weber County Planning Attn: Sean or Ben 2380 Washington Blvd. Ste 240 Ogden, Utah 84401

Weber County Planning Attn: Sean or Ben 2380 Washington Blvd. Ste 240 Ogden, Utah 84401

RE: Variance Request Letter (3414 ~ UT-1409006281)

To whom it may concern:

I have been retained as the surveyor to work toward correcting some long standing title concerns which have recently been identified respecting the properties listed herein. This letter is to be included as part of a variance package that is to be submitted by Mr. Ron Hanson. This package should contain the following documents;

- 1. a print of the Ownership screen for parcels, 21-018-0015, 21-019-0001 thru 21-019-0008 (21-018-0015 Ownership screen.pdf, etc.),
- 2. a copy of the 1966 Ownership plat (62214-4_Plat 1966.tif),
- 3. a copy of the letter of intent of the Eagles and Hanson to hold an existing fence line (the Hanson/Eagles fence) as their true and correct property line (there is an unsigned copy of this document attached hereto because the signed one I do not have a very legible copy, Ogden Aerie No Letter 1.pdf, Eagles.pdf),
- 4. deeds of some of the properties listed as "E_" followed by the book and page number of the deed of record (E_517-437.pdf, E_534-430.pdf, E_571-438.pdf, E_581-206.pdf, E_581-207.pdf, E_581-208.pdf), and
- two maps showing the property lines overlaid on aerial photography identifying the location of the property descriptions as presently deeded and the second showing where the deeds should be to coincide with the occupation of the property (3414_First American_Eagles Deeded.pdf, 3414_First American_Eagles Occupied.pdf)

Mr. Hanson owns property identified in the county tax records as 21-019-0006 under the name of Hanson Family Revocable Trust dated June 6, 1991 (hereinafter Hanson Property). I have included two drawings that illustrate the conditions of the title and that of the physical occupation of the property. Mr. Hanson and I have meet with Weber County Planning staff, Sean Wilkinson and Ben Hatfield) on February 17, 2015 to discuss the concerns of the circumstances outlined hereafter and from that meeting it was decided that a re-plating of the area as a subdivision and apply for a variance to retain the grandfather status of the parcel zoning may be appropriate.

Because of the title circumstances associated with the Hanson Property it is necessary to include the following properties to resolve the entire area; 21-019-0001, 21-019-0002, 21-019-0003, 21-019-0004, 21-019-0005, 21-019-0006, 21-019-0007, 21-019-0008, and 21-018-0015. Meetings are and have been held with the owners of these other parcels to discuss the title concern and gain their consent to the subdivision process.

During the course of the survey work done by Landmark, it has been found that the deeds of these parcels do not describe the property that they and their predecessors have been occupying for decades and which occupation is evidently the intent of the Grantor, Ella O. Fowles, to sell. It is this circumstance that can be seen from the two plat maps (number 5 above) that have been prepared. The map titled Deed Location at the top of the drawing shows an overlay on 2012 Aerial Photography with the current deed lines. Please note that the Home of the Hanson's is shown to be on parcel number 0007 but the deed description of Mr. Hanson's actually describes the property shown as parcel 0006. In this circumstance the Hanson Property as occupied does not coincide with the deed description of the property. This issue is actually true for all of the properties noted above. A description error of each parcel places the properties essentially one lot east of where they are and have been occupied since the 1950's.

The plat map titled Occupied Location shows the location of the properties with the deed descriptions shifted to coincide with the occupation. Please note that by making this adjustment most of the lines of occupation (fences) match the deeded descriptions quite closely with the exception of a fence line that exists between the Hanson property and the Eagles property (this will be discussed herein as **the Hanson/Eagles Fence**). The Occupied Location map better represents the correct location of the deeds and boundaries of the properties.

The intent of this survey is to provide the required deed documents, subdivision plat, and variance requirements to correct the title issue which has existed since the properties have been first deeded. I have researched the documents associated with the title of these properties and found that they *originated* by the following documents and dates (copies of some of these document are included an identified in number 4 above);

- Parcel No. 21-018-0015 ~ Everett L Vanderpool, deeds to Ogden Aerie No. 2472, Fraternal Order of Eagles, by warranty deed Book 581 page 206 on 1-10-1958 recorded 6-2-1958. This property was formerly owned by Clyde R and Ella O. Fowles.
- 2. Parcel No. 21-019-0001 ~ Ella O. Fowles deeds to Delwin Hutchins and Elizabeth F Hutchins, by warranty deed Book 534 page 430, on 10-17-1956 recorded 12-29-1956.
- 3. Parcel No. 21-019-0002 ~ Ella O. Fowles deeds to James F Rice and Estella W Rice, by warranty deed Book 571 page 438, on 10-17-1956 recorded 2-19-1958.
- 4. Parcel No. 21-019-0003 ~ Ella O. Fowles deeds to Mary Ann Bingham, by warranty deed Book 517 page 437, on 6-25-1956 recorded 6-26-1956.
- 5. Parcel No. 21-019-0004 ~ Ella O Fowles deeds to Alwyn Kenneth Cross, by warranty deed Book 453 page 63, on **8-12-1954** recorded 8-19-1954.
- 6. Parcel No. 21-019-0005 ~ Ella O Fowles deeds to Albert G Hunt, by warranty deed Book 444 page 299, on 4-29-1954 recorded 8-17-1954.
- 7. Parcel No. 21-019-0006 ~ Ella O Fowles deeds to Albert G Hunt, by warranty deed Book 453 page 103, on 8-17-1954 recorded 8-19-1954.
- 8. Parcel No. 21-019-0007 ~Ella O Fowles deeds to E. H. Slade and wife Noma W Slade, by warranty deed Book 447 page 397, on **6-17-1954** recorded 6-22-1954.
- 9. Parcel No. 21-019-0008 ~Ella O Fowles deeds to E. H. Slade and wife Noma W Slade, by warranty deed Book 447 page 397, on **6-17-1954** recorded 6-22-1954.

From the document research we know that the parcels listed began to be divided in 1954 ending in 1956. After these parcels had been sold Ella then disposes of the remainder parcel and in 1958 the Eagles purchases the remainder.



In discussing the age of the fences in this area it has been found that they predate any of the current owners memory. The following is a listing of the current owners as evidenced by documents as attached and noted in number 1 above, the first number 1.

- Parcel No. 21-018-0015 ~ Purchased by Ogden Aerie No 2472 Fraternal Order of Eagles by warranty deed Book 581 page 206 on 1-10-1958 recorded 6-2-1958.
- 2. Parcel No. 21-019-0001 ~ Purchased by Robert L Hansen by quit claim deed Book 1809 page 1446 on 5-31-1996 recorded 5-31-1996.
- 3. Parcel No. 21-019-0002 ~ Purchased by John L Robins and wife Dorothy T. Robbins by warranty deed Book 2148 page 2941 on **08-28-1978** recorded 6-26-2001.
- 4. Parcel No. 21-019-0003 ~ Purchased by J. Frank Nielson and Dorothy H. Nielson by quit claim deed Book 2026 page 1738 on **7-28-1999** recorded 8-2-1999.
- 5. Parcel No. 21-019-0004 ~ Purchased by Frederick Bjerke and wife Karen Bjerke by warranty deed Entry number 2673028 on **1-21-1914** recorded 1-27-2014.
- 6. Parcel No. 21-019-0005 ~ Purchased by Frederick Bjerke and wife Karen Bjerke by warranty deed Entry number 2673030 on **1-27-2014** recorded 1-27-2014.
- 7. Parcel No. 21-019-0006 ~ Purchased by the Hanson Family Revocable Trust by warranty deed Entry number 2676307 on **2-12-2014** recorded 2-25-2014.
- 8. Parcel No. 21-019-0007 ~ Purchased by Ogden Aerie No 2472, Fraternal Order of Eagles by warranty deed Book 581 page 208 on **5-31-1958** recorded 6-2-1958.
- 9. Parcel No. 21-019-0008 ~ Purchased by Ogden Aerie No 2472, Fraternal Order of Eagles by warranty deed Book 581 page 208 on **5-31-1958** recorded 6-2-1958.

Mr. Robins (21-019-0002) has been there for 37 years and in a conversation with him he indicated that the fences were there when he purchased the property. Members of the Eagles Board have also indicated that the fences were there when they purchased the property 57 years ago. Many if not all of the fences would have originated at the time of sale with perhaps an exception of the Hanson/Eagles fence line. This particular fence may have been there even before Ella O Fowles began to sell off the lots and was simply considered the property line by the then owners and left in place. I get this impression from some of the Eagles Board members that have stated the fence was there when they purchased.

The Hanson/Eagles fence line in particular will need to have some accommodation made by the variance so that it can remain in place and continue to be recognized as the property line. It is the desire of the Eagle's and the Hanson's that the fence NOT be moved. This fence line has been quietly recognized as the property line and the property on each side has been quietly enjoyed up to this line by both the Eagles (the original owners of parcels 21-019-0007 and 21-019-0008) and, as it has been represented to me, by the Hanson's predecessors in title. There is no desire on the part of either the Eagles or the Hansons to move this fence line which is evidenced by the letter which both have signed and which is part of the attachments to this letter (number 3 above, the first 3).

The Hanson/Eagles fence has been in existence essentially since the property was first occupied. Unfortunately, the physical location of the fence does not coincide with the deeded lines of the respective lots. Looking at the map titled Occupied Location the fence shows the fence in relationship to the lot lines. By holding the fence line as the property line the frontage width of the Hanson's property will become more narrow than the deeded 100 feet and



increase in width at the back line of the property on the river's edge. This configuration, while not being totally equal area exchanged for equal area, will be relatively close to such.

It is my professional opinion that this fence line would meet the requirements of a Boundary by Acquiescence for the following reasons. The Utah Supreme Court in a 1996 case of *Carter v. Hanrath*, 925 P.2d 960 (1996) has stated that "[o]ur case law makes it clear that there are four requirements which must be met before boundary by acquiescence can be established. They are: (1) occupation up to a visible line marked definitely by monuments, fences, or buildings and (2) mutual acquiescence in the line as a boundary, (3) for a long period of time, (4) by adjoining land owners."

To the requirements; (1) occupation up to a visible line marked definitely by monuments, fences, or buildings, this condition is meet in that the existing fence has had use and occupation up to it by the Owners and their invited guests. In fact, the Eagles have built trailer/RV pads up to the fence line. The Hanson's and their predecessors have also occupied the land and used up to the fence which is a definite and visible line to all.

- (2) mutual acquiescence in the line as a boundary can be demonstrated in the desire of the parties to consummate the occupation as the boundary at the same time that the errors in the property descriptions are being corrected. The owners have also expressed that they and their predecessors have quietly used and enjoyed the property to the fence line believing that it was the property line.
- (3) for a long period of time is demonstrated, again, by the length of the time that the fence has been in place. This time period is in possibly in excess of 57 years. The Utah Supreme Court in *Jacobs v. Hafen*, 917 P.2d 1078 (Utah 1996) has clarified this time period stating "[w]e therefore hold that establishment of boundary by acquiescence requires (i) occupation up to a visible line marked by monuments, fences, or buildings, (ii) mutual acquiescence in a line as a boundary, (ii) for a period of at least 20 years, (iv) by adjoining landowners." (Emphasis added.) In this case the required time period of 20 years has been exceeded.
- (4) by adjoining land owners is demonstrated by the title record in that the properties are described as having a common boundary line with no gap being owned by a third party. Furthermore, that the property owners have to recognized any third party to have a title between their respective land and have fully occupied such land up to the fence line.

With these circumstances in mind I believe that the fence has been the boundary of the property for decades by acquiescence and would pose no change in the legal status of the property by correcting the descriptions of the properties to reflect such. Therefore, the frontage width as occupied by the fences for the Hanson property, in my opinion, should be varied to allow the fence to remain the property line as it has been for many years of historic use.

With respect to the zoning, it is evident that these parcel were established well before the zoning laws by the date of the original deeds and were in existence in 1966 as evidenced by the attached plat of that date (number 2 above, the first 2). In my opinion, this would indicate that the grandfathered status of the properties respecting their size should also be recognized as legal non-conforming. And is based on historic use and occupation.

The properties are also serviced by an **historic easement**. The easement also has description issues in that the used path of the access road does not entirely follow the deed location of the easement. These parcels were initially granted access by way of an easement in the original deeds and have been accessed by this easement since that time. The land owners maintain the traveled way indicating that this was intended to be, what we call today, a



private road. The easement has not been open to the public and to my knowledge, not used by the public. Therefore, the road would retain its original status and may justify the use of private road to describe the access road. It is the desire of the owners to correct the description of this easement so that it coincides with the traveled and used way in this subdivision process.

The easement description does follow a portion of the used and traveled road way which is a north-south portion of the road which is fenced on both the east and west sides. It is not the intent of this project to change the location of this section of the easement. There is also a portion of the easement at the north end of the road where it connects to Highway 39 that does not follow the deeded location and would involve the consent of another land owner to correct. This section of road is in dispute and will not be included in this project.

It is the apparent intent of the original deeding that the easements south boundary is to coincide with the lots north boundaries. The subdivision plat will be prepared to continue this intent.

Summary:

The requested variance for the reasons stated herein and would be to grant approval for a subdivision plat to be prepared and recorded that will;

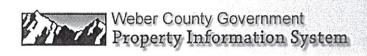
- 1. correct the location of the property descriptions of parcels 21-019-0001 thru 21-019-0008, and
- 2. identify a remaining parcel which is currently being identified as 21-018-0015 and owned by the Eagles,
- 3. utilize the existing fence lines as the actual property lines of the lots where appropriate,
- 4. grant variance to the size and frontage requirements,
- 5. allow the easement access to these properties to be corrected from a point that is approximately South 557 feet from the north section line of the section thence westerly along the frontage of the lots, and
- 6. to identify that portion of the easement as a private street on the subdivision plat.

Respectfully,

Ernest D. Rowley, PLS, CFedS

Principle Owner - Landmark Surveying, Inc.
ernest@LandmarkSurveyUtah.com

3414 Hanson Variance letter.docx





Print Page | Close Window

Parcel # Township/Range/Section:

21-019-0001 6N/2E/14

Change Dates: Name: 15-DEC-2014 Owner: Second: ROBERT L HANSEN JOINT MUTUAL

Property Address:

Prior Parcels:

Tax Unit: 12-APR-1996

Care of:

TRUST AGREEMENT ETAL

178 N 10630 E **HUNTSVILLE 84317**

Tax Unit: 318

4194 S 2400 W

ROY UT 84067 City/State/Zip:

Additional Names:

LARRY S SHULSEN & MARILYN H SHULSEN AS TRUSTEES OF THE LARRY S SHULSEN & MARILYN H SHULSEN FAMILY TRUST DATED FEBRUARY

THE FRANK J & DOROTHY H NIELSON FAMILY TRUST AGREEMENT DATED 4 MAY 1995 J FRANK NIELSEN & DOROTHY H NIELSON AS TRUSTEES

W REID HANSEN AND DALENE B HANSEN AS TRUSTEES OF THE

HANSEN FAMILY TRUST DATED AUG 30 1993 2540731

ELAINE B HANSEN & PEGGY H BARFUSS TRUSTEES OF THE ROBERT L HANSEN & ELAINE B HANSEN JOINT MUTUAL TRUST AGREEMENT DATED

APRIL 23, 1991 2714371

Current References:

Seq Entry Nbr 1409887 2459494 2482577

Book/Page 1809 1446

QUIT CLAIM DEED CT QUIT CLAIM DEED QUIT CLAIM DEED

Kind of Instr

Deed Date 05-31-1996 02-17-2010

07-02-2010

Record Date 31-MAY-1996 22-FEB-2010 20-JUL-2010

Comments:

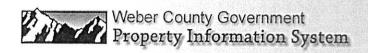
Legal Description:

PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT SOUTH 504 FEET AND SOUTH 59D10' WEST 640 FEET FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION, AND RUNNING THENCE NORTH 79D23' EAST 71.75 FEET, THENCE NORTH 48D25' EAST 57.12 FEET, THENCE SOUTH 30D50' EAST 65.00 FEET TO CENTER OF RIVER CHANNEL, THENCE SOUTH 24D10' WEST 122.08 FEET, THENCE SOUTH 53D28' WEST 25.00 FEET, THENCE NORTH 30D50' WEST 137 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING. ALSO CENTER LINE DESCRIPTION OF RIGHT-OF-WAY 20 FEET WIDE: PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT WEST 115:00 FEET FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION, AND RUNNING THENCE SOUTH 170 FEET, THENCE EAST 80 FEET, THENCE SOUTH 387.54 FEET, THENCE SOUTH 79D40' WEST 223.55 FEET, THENCE SOUTH 50D00' WEST 250.15 FEET, THENCE SOUTH 59D10' WEST 700 FEET.

Run Date: February 5, 2015, 11:08 am

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Exhibit 2-1





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Parcel # Township/Range/Section:

21-019-0002 6N/2E/14

Change Dates:

Owner:

ROBBINS, JOHN L & WF

Property Address:

Prior Parcels:

Name: 26-JUN-2001 Tax Unit: 12-APR-1996

Second: Care of: DOROTHY T ROBBINS

172 N 10630 E

Tax Unit: 318

Street: City/State/Zip: 10630 E HIGHWAY 39 HUNTSVILLE UT 843179206 **HUNTSVILLE 84317**

Additional Names:

Current References:

Seq Entry Nbr 1 1778890

Book/Page 2148 2941 Kind of Instr WARRANTY DEED JT

Deed Date

Record Date 26-JUN-2001

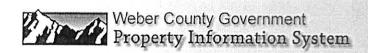
Comments:

Legal Description:

PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT SOUTH 504.00 FEET AND SOUTH 59D10' WEST 640 FEET FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION, RUNNING THENCE SOUTH 30D50' EAST 137 FEET TO CENTER OF RIVER CHANNEL, THENCE SOUTH 53D28' WEST 75.50 FEET, THENCE NORTH 30D50' WEST 145.00 FEET; THENCE NORTH 59D10' EAST 75.00 FEET TO THE PLACE OF BEGINNING. ALSO CENTER LINE DESCRIPTION OF RIGHT OF WAY 20 FEET WIDE, A PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 2 EAST OF THE SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT WEST 115.00 FEET FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION AND RUNNING THENCE SOUTH 170 FEET, THENCE SOUTH 50D WEST 250.15 FEET, THENCE SOUTH 59D10' WEST 700 FEET.

Run Date: February 5, 2015, 11:05 am







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Parcel # Township/Range/Section:

21-019-0003 6N/2E/14

Change Dates: Name: 03-SEP-2009 Owner:

NIELSON, J FRANK &

Property Address:

Prior Parcels:

Tax Unit: 12-APR-1996

Second: Care of: DOROTHY H NIELSON TRUSTEES

Tax Unit: 318

Street:

824 E LOST RIDGE DR

City/State/Zip:

WASHINGTON UT 84780

Additional Names:

J FRANK NIELSON AND DOROTHY H NIELSON AS TRUSTEES

THE J FRANK AND DOROTHY H NIELSON FAMILY TRUST AGREEMENT,

Current References:

Entry Nbr

Book/Page

Kind of Instr

Deed Date

Record Date

1653561

2026 1738

QUIT CLAIM DEED

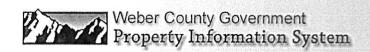
07-28-1999

02-AUG-1999

Comments:

Legal Description:

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Parcel # Township/Range/Section:

21-019-0004 6N/2E/14

Change Dates:

Owner:

BJERKE, FREDERICK & WF

Property Address:

Prior Parcels:

Name: 27-JAN-2014 Tax Unit: 12-APR-1996

Second:

KAREN BJERKE ETAL

166 N 10630 E

Care of:

1252 E 2650 N

Tax Unit: 318

Street: City/State/Zip:

NORTH OGDEN UT 844143432

HUNTSVILLE 84317

Additional Names:

Seq

FREDERICK BJERKE & WF KAREN BJERKE & AMY L BECKSTEAD Book/Page

Kind of Instr

Deed Date

Record Date

Current References:

Entry Nbr 2673028

WARRANTY DEED JT

01-21-2014

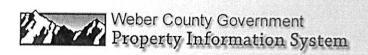
27-JAN-2014

Comments:

Legal Description:

PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY. BEGINNING AT A POINT SOUTH 504.00 FEET AND SOUTH 59D10' WEST 715.00 FEET FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION, RUNNING THENCE SOUTH 30D50' EAST 145.00 FEET TO CHANNEL OF RIVER, THENCE SOUTH 62D23' WEST 100.13 FEET, THENCE NORTH 30D50' WEST 140.00 FEET, THENCE NORTH 59D10' EAST 100 FEET TO PLACE OF BEGINNING. ALSO CENTERLINE DESCRIPTION OF RIGHT OF WAY 20 FEET WIDE. A PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY. BEGINNING AT A POINT WEST 115.00 FEET FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION, RUNNING THENCE SOUTH 170.00 FEET THENCE EAST 80 FEET, THENCE SOUTH 387.54 FEET, THENCE SOUTH 79D40' WEST 223.55 FEET, THENCE SOUTH 50D00' WEST 250.15 FEET, THENCE SOUTH 59D10' WEST 700.00 FEET.

Run Date: February 5, 2015, 11:04 am





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Parcel # Township/Range/Section:

21-019-0005 6N/2E/14

Change Dates:

Owner:

BJERKE, FREDERICK & WF

Property Address:

Prior Parcels:

Name: 27-JAN-2014 Tax Unit: 12-APR-1996 Second: Care of: KAREN BJERKE ETAL

158 N 10630 E

Tax Unit: 318

City/State/Zip:

1252 E 2650 N

NORTH OGDEN 844143432

HUNTSVILLE 84317

Additional Names:

FREDERICK BJERKE & WF KAREN BJERKE & AMY L BECKSTEAD

Current References:

Seq Entry Nbr Book/Page

Kind of Instr

Deed Date

Record Date

2673030

WARRANTY DEED JT

01-27-2014

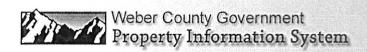
27-JAN-2014

Comments:

Legal Description:

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Run Date: February 5, 2015, 11:03 am





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Parcel # Township/Range/Section:

21-019-0006 6N/2E/14

Change Dates:

Owner:

HANSON FAMILY REVOCABLE TRUST

Property Address:

Prior Parcels:

Name: 25-FEB-2014

Second:

148 N 10630 E

Tax Unit: 12-APR-1996

Care of:

Tax Unit: 318

Street:

529 EMERALD WAY

HUNTSVILLE 84317

Additional Names:

City/State/Zip: LAGUNA BEACH CA 926511256 RONDELL B HANSON & JOYCE P HANSON AS TRUSTEES OF THE HANSON

FAMILY REVOCABLE TRUST DATED JUNE 6 1991

Current References:

Entry Nbr

2676307

Book/Page

Kind of Instr WARRANTY DEED

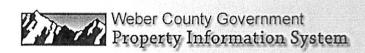
Deed Date Record Date 02-12-2014 25-FEB-2014

Comments:

Legal Description:

PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY. BEGINNING AT A POINT SOUTH 504.00 FEET AND SOUTH 59D10' WEST 915.00 FEET FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION, RUNNING THENCE SOUTH 30D50' EAST 180.00 FEET TO CENTER OF RIVER CHANNEL; THENCE SOUTH 46D13' WEST 102.61 FEET; THENCE NORTH 30D50' WEST 203.00 FEET; THENCE NORTH 59D10' EAST 100 FEET TO BEGINNING. ALSO CENTERLINE DESCRIPTION OF RIGHT OF WAY 20 FEET WIDE. A PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, BEGINNING AT A POINT WEST 115.00 FEET FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION, RUNNING THENCE SOUTH 170.00 FEET THENCE EAST 80.00 FEET; THENCE SOUTH 387.54 FEET; THENCE SOUTH 79D40' WEST 223.55 FEET, THENCE SOUTH 50D00' WEST 250.15 FEET, THENCE SOUTH 59D10' WEST 700.00 FEET.

Run Date: February 5, 2015, 11:00 am





Print Page Close Window

Parcel # Township/Range/Section:

21-019-0007 6N/2E/14

Change Dates:

Owner:

OGDEN AERIE NO 2472, FRATERNAL

Property Address:

Prior Parcels:

Name: 30-OCT-1989 Tax Unit: 12-APR-1996

Second:

ORDER OF EAGLES

Care of:

% OGEN AIRIE #2472

Street:

PO BOX 13567

City/State/Zip:

OGDEN UT 84412

Additional Names:

Tax Unit: 318

Current References:

Entry Nbr Seq

Book/Page 0581 0208 Kind of Instr WARRANTY DEED Deed Date 05-31-1958 Record Date

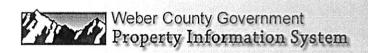
02-JUN-1958

Comments:

Legal Description:

PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, BEGINNING AT A POINT SOUTH 504.00 FEET, AND SOUTH 59D10' WEST 1015.00 FEET FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION, RUNNING THENCE SOUTH 30D50' EAST 203.00 FEET TO CENTER OF RIVER CHANNEL, THENCE SOUTH 49D31' WEST 101.43 FEET, THENCE NORTH 30D50' WEST 220.00 FEET; THENCE NORTH 59D10' EAST 100 FEET TO THE PLACE OF BEGINNING. ALSO CENTERLINE DESCRIPTION OF RIGHT OF WAY 20 FEET WIDE. A PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY. BEGINNING AT A POINT WEST 115.00 FEET FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION, RUNNING THENCE SOUTH 170.00 FEET; THENCE EAST 80.00 FEET; THENCE SOUTH 387.54 FEET; THENCE SOUTH 79D40' WEST 223.55 FEET, THENCE SOUTH 50D00' WEST 250.15 FEET, THENCE SOUTH 59D10' WEST 700 FEET.

Run Date: February 5, 2015, 10:59 am





Print Page Close Window

Parcel # Township/Range/Section:

21-019-0008 6N/2E/14

Change Dates:

Owner:

OGDEN AERIE NO. 2472,

Property Address:

Name: 30-OCT-1989 Tax Unit: 12-APR-1996

Second: Care of: FRATERNAL ORDER OF EAGLES

% OGDEN AEIRE #2472

Tax Unit: 318

Street: City/State/Zip: PO BOX 13567

OGDEN UT 84412

Additional Names:

Current References:

Book/Page

Kind of Instr

Deed Date

Record Date

Seq Entry Nbr

0581 0208

WARRANTY DEED

05-31-1958

02-JUN-1958

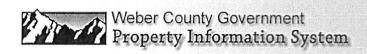
Comments:

Legal Description:

PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT SOUTH 504.00 FEET AND SOUTH 59D10' WEST 1115.00 FEET FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION; RUNNING THENCE SOUTH 30D50' EAST 220,00 FEET TO CENTER OF RIVER CHANNEL; THENCE SOUTH 56D18' WEST 100.13 FEET; THENCE NORTH 30D50' WEST 225.00 FEET; THENCE NORTH 59D10' EAST 100 FEET TO THE PLACE OF BEGINNING. ALSO CENTER LINE DESCRIPTION OF RIGHT-OF-WAY 20 FEET WIDE: PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT WEST 115.00 FEET FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION; RUNNING THENCE SOUTH 170.00 FEET; THENCE EAST 80.00 FEET; THENCE SOUTH 387.54 FEET; THENCE SOUTH 79D40' WEST 223.55 FEET; THENCE SOUTH 50D00' WEST 250.15 FEET; THENCE SOUTH 59D10' WEST 700 FEET.

Run Date: February 5, 2015, 10:56 am







Print Page Close Window

Parcel # Township/Range/Section:

21-018-0015 6N/2E/11

Change Dates: Name: 30-OCT-1998 Owner: Second: OGDEN AERIE NO. 2472, FRATERNAL

Property Address:

Prior Parcels:

Tax Unit: 12-APR-1996

Care of:

ORDER OF EAGLES

Street:

% OGDEN AIRE #2472 PO BOX 13567

Tax Unit: 318

City/State/Zip:

OGDEN UT 84412

Additional Names:

Current References:

Seq Entry Nbr

Book/Page 0581 0206 0905 0632 Kind of Instr WARRANTY DEED DECREE

Deed Date 01-10-1958 12-02-1968

Record Date 02-IUN-1958 09-DEC-1968

Comments:

Legal Description:

PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, BEGINNING AT A POINT 1457.0 FEET EAST OF THE SOUTHWEST CORNER OF SAID QUARTER SECTION AND RUNNING THENCE NORTH 0D27' EAST 2600 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID SECTION 14, THENCE EAST ALONG THE SECTION LINE 1144.0 FEET, MORE OR LESS, TO A POINT 105 FEET, WEST OF THE NORTHEAST CORNER OF SAID QUARTER SECTION, THENCE SOUTH 140 FEET, THENCE EAST 80 FEET THENCE SOUTH 514.85 FEET, THENCE NORTH 87D22' WEST 152 FEET, THENCE SOUTH 76D25' WEST 75 FEET, THENCE SOUTH 51D52' WEST 166 FEET, THENCE SOUTH 33D50' WEST 60 FEET, MORE OR LESS, TO A POINT SOUTH 504 FEET SOUTH 59D10' WEST 615 FEET, NORTH 79D23' EAST 46.76 FEET NORTH 48D25' EAST 57.12 FEET AND SOUTH 30D50' EAST 54 FEET, MORE OR LESS, TO THE NORTHWESTERLY LINE OF THE MILLIE GARFF PROPERTY FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION, THENCE NORTHEASTERLY ALONG THE CENTERLINE OF RIVER TO A POINT SOUTH 504 FEET, SOUTH 59D10' WEST 515 FEET, NORTH 50D EAST 200 FEET, AND SOUTH 30D50' EAST 40 FEET, MORE OR LESS, FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION, THENCE NORTH 30D50' WEST 40 FEET, MORE OR LESS, THENCE SOUTH 50D WEST 200 FEET, THENCE SOUTH 48D25' WEST 57.12 FEET, THENCE SOUTH 79D23' WEST 71.75 FEET, THENCE SOUTH 59D10' WEST 575 FEET, THENCE SOUTH 30D50' EAST 225 FEET THENCE NORTH 56D18' EAST 100.13 FEET THENCE NORTH 49D31' EAST 101.43 FEET, THENCE NORTH 46D14' EAST 102.61 FEET, THENCE NORTH 37D22' EAST 107.7 FEET, THENCE NORTH 62D23' EAST 100.13 FEET, THENCE NORTH 53D28' EAST 5 FEET, MORE OR LESS, TO THE WESTERLY LINE OF THE HOLBROOK PROPERTY THENCE SOUTH 33D50' WEST 45 FEET, MORE OR LESS, TO A POINT 564.72 FEET WEST AND 1041 FEET SOUTH FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 50 FEET; THENCE EAST 260 FEET; THENCE NORTH 50 FEET, THENCE EAST 304.72 FEET THENCE SOUTH TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION, THENCE WEST 1249 FEET, MORE OR LESS, TO POINT OF BEGINNING. SUBJECT TO RIGHT OF WAY, 20 FEET WIDE, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WEST 115 FEET FROM THE NORTHEAST CORNER OF SAID QUARTER RUNNING THENCE SOUTH 170 FEET, THENCE EAST 80 FEET THENCE SOUTH 387.54 FEET THENCE SOUTH 79D40' WEST 223.55 FEET, THENCE SOUTH 50D60' WEST 250.15 FEET THENCE SOUTH 59D10' WEST 700 FEET. EXCEPT 1.10 ACRES, MORE OR LESS, IN STATE ROAD (121-556). CONTAINING 67.15 ACRES, M/L.

Run Date: February 5, 2015, 11:12 am

SECTION 14, T.6N., R.2E. PART OF NW 1/4 OF HUNTSVILLE DISTRICT SEE P 18 SCALE 1"- 100 40-1389 0222 01-4-1-67 10 2472 FRATER TO S.L.B.&M. SEE P 19 \$ 504 00

AGS 5- 54





From:

Rondell Hanson

CFedS Ernest D Rowley PLS

Subject:

Date:

Friday, February 20, 2015 4:25:56 PM

Ernest

Here is the signed document from last night. If you need an original, let me know and I will put it in the mail.

Ron

Servers 13, JESS

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No ment t was removed.

On the Control of Section 2015 of the Control of Section 2015 of Section 2015

the date of the bound has districted the parallel founds of the boundary and byware of the long should primary of Principles and the ten 170m. On pages and thomas there are all proposed and the control Principles and by a tride on any time consolider advantage is not better and control principles. On the tensor before the first and the date of the control principles and the control principles are also better and the control of any time of the date of the control principles and the control principles are the control of the con

Send handle of the fact though the both they want to be send to be

LETTER OF AGREEMENT

February 17, 2015

RE: Long standing fence.

To whom it may concern:

We the undersigned representatives of the Ogden Aerie No. 2472 Fraternal Order of the Eagles (Eagles) hereby represent and state that the common fence line between our property, known as Weber County Serial Number 21-019-0007, and our neighbor to the east, known as Weber county Serial Number 21-019-0006 owned by the Hanson Family Revocable Trust Dated June 6, 1991 (Hanson), is and has been the dividing line and boundary between our respective properties for a long period of time. That time is for as long as the Eagles have owned the property dating to May 31, 1958 by a Warranty Deed from E.H. Slade recorded as Book 581 Page 208 recorded on June 2, 1958.

Because this fence line does not identify the deeded location of the boundary and because of the long standing nature of the fence and the fact that the Eagles and Hanson have used, improved, and occupied to this fence for as long as we have owned the property, it is our intent and desire to follow through with the necessary and proper documents to fix and secure this fence line as the property line in the public deed records.

The Eagles:	
Name:	
Title:	
Rondell Hanson	

Exhibit E-2

LETTER OF AGREEMENT

February 17, 2015

RE: Long standing fence.

To whom it may concern:

We the undersigned representatives of the Ogden Aerie No. 2472 Fraternal Order of the Eagles (Eagles) hereby represent and state that the common fence line between our property, known as Weber County Serial Number 21-019-0007, and our neighbor to the east, known as Weber county Serial Number 21-019-0006 owned by the Hanson Family Revocable Trust Dated June 6, 1991 (Hanson), is and has been the dividing line and boundary between our respective properties for a long period of time. That time is for as long as the Eagles have owned the property dating to May 31, 1958 by a Warranty Deed from E.H. Slade recorded as Book 581 Page 208 recorded on June 2, 1958.

Because this fence line does not identify the deeded location of the boundary and because of the long standing nature of the fence and the fact that the Eagles and Hanson have used, improved, and occupied to this fence for as long as we have owned the property, it is our intent and desire to follow through with the necessary and proper documents to fix and secure this fence line as the property line in the public deed records.

Swanke, Dermis Cusper, Ron Ewing Bob Sommers Vinginia Mckay
of Trustees Worthy President Worthy Secretary

The Fagles.

Name:

Title:

Rondell Hanson

Exhibit E-3

State of Utah, for the sum of DOLLARS County, State of Utah. ther of Section 1h; Township 6 North; district States Survey. Beginning R. R. of W. 504 feet South and South them; termer of said t Section clamp said R. of W. 200 ft. thence of River Chanal thence Southwesterly a point South 30.50 East of beginning. The war in granes A. D. 19 56 WITNESS the hand of said Grantos, this A. D. 19 56 n duly acknowledged to me that s he executed the Recording Data Serial No. 10227-8-1-9-2-2

517-437

Exhibit F-1

Hall Day

249-7-

Ogden, Utal

ELLA D. POALES, a woman

of Ugden WARRANT & to

County of Weber

GRANTOR

State of Utah hereby CONVEY S and

DELWIM HUTCHINS and ELIZABETH F. HUTCHINS, Husband & Wife, as tenants by the entirety with full rights vested in the survivor and not as tenants in common

of Ogden County of Weber State of Utah, for the sum of TEN AND NO/100 - - - - - - - DOLLARS the following described tract of land in Weber County, State of Utah.

A part of the northwest quarter of Section 14, Township 6 North, Range 2 East of the Salt Lake Ease and Meridian, United States Survey:-

Beginning at a point south 504 feet and south 59° 10' west 640 feet from the northeast corner of said quarter section, running thence North 79° 23' East 71.75 feet; thence north 48° 25' East 57.12 feet; thence south 30° 50' east 65.00 feet to center of River channel, thence south 24° 10' west 122.08 feet, thence south 53° 28' west 25.00; thence north 30° 50' west 137 feet, more or less to the place of beginning.

Also center line description of Right of Way 20 feet wide.
A part of the Northwest Quarter of Section 14 Township 6 North, Range
2 East of the Salt Lake Base and Meridian, United States Survey:
Beginning at a point west 115.00 feet from the Northeast corner of
said quarter section and running thence south 170 feet, thence East 80 feet
thence south 387.54 feet, thence south 79° 40' West 223.55 feet, thence south
50° 00' west 250.15 feet, thence S 59° 10' West 700 feet.

WITNESS the hand of said Grantor , this Signed in the presence of Jackson Manageran	17th day of October A. D. 19 56
Personally appeared before me ELLA 0.	7th day of October A. D. 19 56 FOWLES, a woman by acknowledged to me that She executed the
Chonac W. Fowles Residing at Cyclen Utak My Commission Expires (Notary Seal)	Recording Data Fees \$ /.5 a Serial No. HU-18227- B-1- A-1-A Entry No. Platted Indexed Abstracted Compared Paged Paged
(Use black typewriter ribbon only) Adopted by Orden Board of Resitors	STATE OF UTAH COUNTY OF WEBER SS FIXED AND RECORDS FOR DEC 29 10 57 AM '56 IN BOOK 534 OF RECORDS PAGE 430 DOROTHY B. CAMPBELL COUNTY RECORDER

204817

Ogden, Utah

Mail Deed to Address

956 /SALARUS Ogden, Utah

WARRANTY DEED

	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			A.1.D	
ELLA O. FOWLES	i, a woman				8
of Ogden WARRANTs to	County of	Weber	State	of Utah hereby CO	GRANTOR NVEY s and
y the entirety w	JAMES F. RI vitn full right	GE All ESTELI S vested in t	A W. KICE he surviv	, nuscand w wife or and not as to	, ad tenents numbo in downer
f Ogden TEN AND NO/100 -				State of Utah, fo	DOLLARS
ne following describ	ed tract of land in	ı "ebe	r	County, S	tate of Utah.
A part of the N of the Salt Lam	orthwest quarts e base and Meri	er of Section	14, Town	ship 6 North, mar urvey:-	ige 2 £850
east 15/ leet t	o center of riv tn 30° 50' west	ver channel, 145.00 feet	thende so	0 10 west 640 . ng thenes south ith 530 26 west north 530 10 ht.	75 - 50
hast of the online act a quarter section thance south 38	orthwest quarte t bake base and point west 115. and running to 7.5/ feet, ther	er of u-stion : .eridian, d .66 feet from lence south l' les south 79°	14, Town mited Est the North 70 feet, 40! West	nit 6 worth, las	Hic Et,
VITNESS the hand Signed in the p	resence of		day o	f Ostar A	D. 19 50
	,				*
TATE OF UTAH ounty of weber ersonally appeared to signer of the vame.	before me Ell	n the 17th & O. rowles. who duly ackn	a woman		A. D. 19
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Thomas 1	C Fint.		s \$ / 80 ry No.	Serial No.	
y Commission Exp	ires 2-75	59	- 1991 (1911)	Platted Index Recorded Abstr Compared Pages	
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			E	STATE OF WEARER STUDENTY OF WEARER STREET AND RECONDED.	run
18 - 12 m				IN BOOK 571 OF REC	.5.5
TURE black typ	ewriter ribbon only)			RUTH EATTES OLSEN	RDER

WARRANTY DEED

EVERETT L. VANDERPOOL, CLIFFORD K. KEETER, HOWARD M. MACFARLANE, WILLIARD M. MACFARLANE, VAL F. BERKLEY, LISLE L. HADLOCK, WILLIAM D. WOOD, as trustees for the use and benefit of Ogden Aerie No. 2472, Fraternal Order of Eagles, GRANTORS, of Ogden, County of Weber, State of Utah, hereby CONVEY AND WARRANT to -

CGDEN AERIE No. 2472, FRATERNAL ORDER OF EAGLES, a Utah non-profit corporation, GRANTEE, of Ogden, Weber County, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS, the following described tract of land in Weber County, State of Utah:

A part of the Northwest Quarter of Section 14, Township 6 North, Range 2 East, Salt Lake Base and Meridian, United States Survey:

Beginning at a point 1457.0 feet East of the Southwest corner of said quarter section and running thence North 0° 27' East 2600 feet, more or less to the North line of said Section 14; thence East along the Section line 1144.0 feet, more or less to a point 105 feet West of the Northeast corner of said quarter Section; thence South 140 feet; thence East 80 feet; thence South 514.85 feet; thence North 87° 22' West 152 feet; thence South 76° 25' West 75 feet; thence South 51° 52' West 166 feet; thence South 33° 50' West 60 feet more or less to a point South 504 feet; South 59° 19' West 615 feet, North 79° 23' East 46.76 feet, North 48° 25' East 57.12 feet and South 30° 50' East 54 feet, more or less to the North Westerly line of the Millie Garff property, from the Northeast corner of said Quarter Section; then North 30° 50' West 54 feet, more or less to a point 65 feet North 60° 50' West from the center of River; thence South 48° 25' West 57.12 feet; thence South 79° 23' West 46.76 feet; thence South 59° 10' West 600 feet; thence South 30° 50' East 225 feet; thence North 56° 18' East 100.13 feet; thence North 49° 31' East 101.43 feet; thence North 46° 14' East 102.61 feet; thence North 53° 28' East 5 feet more or less to the Westerly line of the Holbrook property; thence South 33° 50' West 45 feet more or less to a point 564.72 feet West of the East line of said quarter section; thence south 50 feet; thence East 260 feet; thence North 50 feet; thence East 304.72 feet; thence South to Southeast corner of said quarter section; thence South 50 feet; thence East 260 feet; thence North 50 feet; thence East 260 feet; thence North 50 feet; thence East 260 feet; thence South 50 feet; thence East 260 feet; thence South 50 feet; thence East 260 feet; thence South 50 feet; thence East 260 feet; thence North 5

SUBJECT TO RIGHT OF WAY: 20 feet wide, the center line of which is described as follows: Beginning at a point West 115 feet from the Northeast corner of said quarter section, running thence South 170 feet; thence East 80 feet; thence South 387.54 feet; thence South 79° 40' West 223.55 feet; thence South 50° 60' West 250.15 feet, thence South 59° 10' West 700 feet.

Excepting therefrom the following property: Part of the Northwest Quarter of Section 14, Township 6 North, Range 2 East, Salt Lake Meridian, United States Survey: Beginning on the South line of a 20 foot Right of way 504 feet South and South 59° 10' West 515 feet from the Northeast corner of said Quarter Section running thence North 50° East along said right of way 200 feet, thence South 30° 50' East to the center of River Chanal thence Southwesterly along center of River chanal to a point South 30° 50' East of beginning, thence North 30° 50' West 65 feet to beginning.

Together with the right to use of all water heretofore used upon or in connection with the property hereby warranted and conveyed, including the right to the use of one sixth of the water of the Rollo, Johnson and Downs Ditch Company, as tabulated in the water rights on the Ogden River and its tributaries in that certain decree in the District Court of the Second Judicial District of Utah, in and for Weber County, in that certain cause entitled "Plain City Irrigation Company vs Hooper Irrigation Company, et al" being No. 7487 in said Court, and being Right No. D A 306, and including the right to the use of all the water of the Bingham Spring as tabulated in the water rights on the Ogden River District of Utah, in and for Weber County, in that certain cause entitled "Plain City Irrigation Company vs Hooper Irrigation Company, et al" being No. 7487 in said Court, and being Right No. A. 304.

20-18 -18 A

F-5

BOOK DO	S1 PAGE 201
Page 2.	
WITNESS THE HAND OF SAID GRANTOR	S, this O day of January, A.D 1958.
Signed in the presence of Milliam Story	Garage Machalare
	Willand M. W. Jackarlan
	Louise Llanderpool.
	Jac 7 Barrely
STATE OF UTAH) : ss COUNTY OF WEBER)	
90-15 (100 (100 (100 (100 (100 (100 (100 (1	.D. 1958, personally appeared before me Everett
	M. Macfarlane, Willard M. Macfarlane, Val F.
Berkley, Lisle L. Hadlock, William D. Wood	, the signers of the within instrument, who
duly acknowledged to me that they executed	NOTARY PUBLIC Residing at Ogden, Weber Townty ICAn My Comm. Expires: How See Notation In the Community ICAn My Comm. Expires: How See Notation ICAN My Comm. How See N
	HOW.
STATE OF UTAH) : SS COUNTY OF WEBER)	
On the 29th day of May, A.D. 1958,	personally appeared before me William D.
Wood, the signer of the within instrument,	who duly acknowledged to me that he executed
state of unity of the same.	Richard W. Brann, NOTARY PUBLIC Residing at Ogden, Weber County, Utah
JUH 2 OB PM DU IN BOOK 581 OF RECORD PAGE 206 RUTH EAHRES OLSEN COUNTY RECORDER POLIT D. W. Luku	My Comm. Expires: Jan. 20, 1961 Hy 19227 - 3-1-2-1-2 - Z
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BOOK 581 PULE 208

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Mail tax notice to Name

STATE OF UTAH COUNTY OF WENER SS Richard W. Bran JUH 2 1 10 PM '58

M BOOK 581 OF RECORD RUTH EAMES OLSEN
COUNTY BECORDER
Colicle D. TO Luler

Address

WARRANTY DEED

E. H. SLADE and NONA W. SLADE, Husband and Wife,

Grantors.

County of Weber , State of Utah, hereby CONVEY and WARRANT to OGDEN AERIE NO. 2472, FRATERNAL ORDER OF EAGLES, a Utah nonprofit corporation,

Grantee.

Ogden City, County of Weber , State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS - - - - - - DOLLARS, the following described tract s of land in Weber County, State of Utah:

A part of the Northwest quarter of Section 11, Township 6 North, Range 2 East of the Salt Lake Base and Meridian, United States Survey: Beginning at a point South 504.00 feet, and South 59°10' West 1015.00 feet from the Northeast corner of said quarter section, running thence South 30°50' East 203.00 feet to center of River Channel, thence South 19°31' West 101.43 feet, thence North 30°50' West 220.00 feet, thence North 59°10' East 100 feet to the place of beginning.

PARCEL 2:

A part of the Northwest quarter of Section 14, Township 6 North, Range 2 East of the Salt Lake Base and Meridian, United States Suvey: Beginning at a point South 501.00 feet, and South 59°10' West 1115.00 feet from the Northeast corner of said quarter section, running thence South 30°50' East 220 feet to center of River Channel, thence South 56°18' West 100.13 feet, thence North 30°50' West 225.00 feet, thence North 59°10' East 100 feet to the place of

Together with a right - of - way to the above described parcels of real property with a center line description 20 feet wide more particularly described as follows: A part of the Northwest quarter of Section 1h, Township 6 North, Range 2 East of the Salt Lake Base and Meridian, U. S. Survey: Beginning at a point West 115.00 feet from the Northeast corner of said Quarter section, running thence South 170.00 feet thence East 80.00 feet, thence South 387.5h feet, thence South 7° 10' W. 223.55 fft. thence S. 50°00' W. 250.15 ft., th. S. 59°10' W. 700 ft. WITNESS the hand s of said Grantor , this 3/ day of May A. D. 1958.

in the presence of

STATE OF UTAH County of Weber

On the 3/2 day of May

, A. D., 19x58 , Personally

appeared before me E. H. Slade and Nona W. Slade

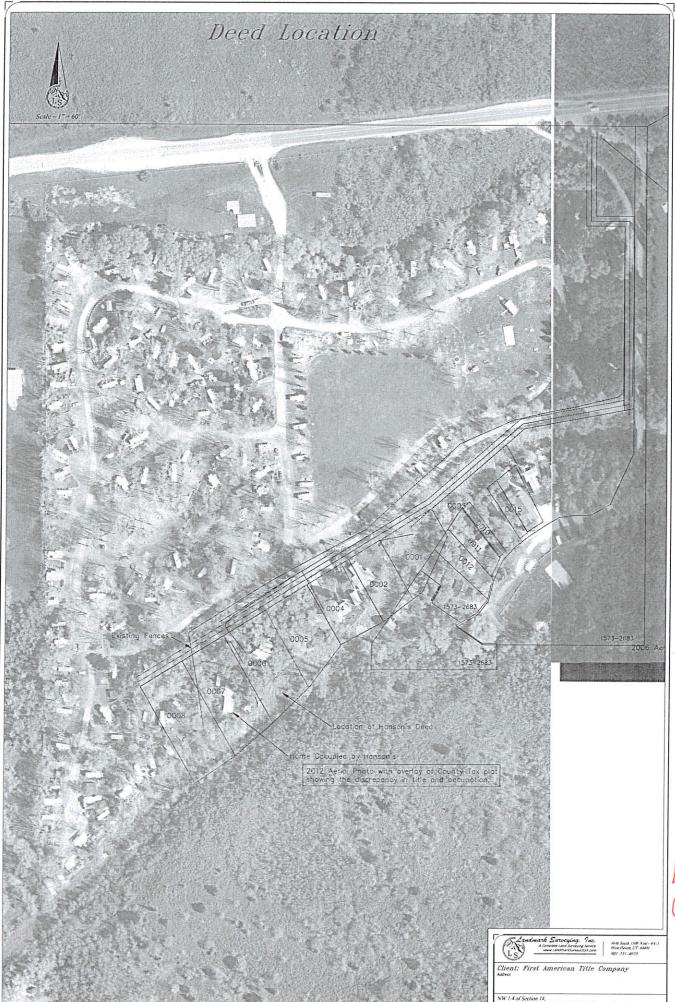
the signer s of the within instrument, who duly acknowledged to me that the y executed the same.

Notary Public

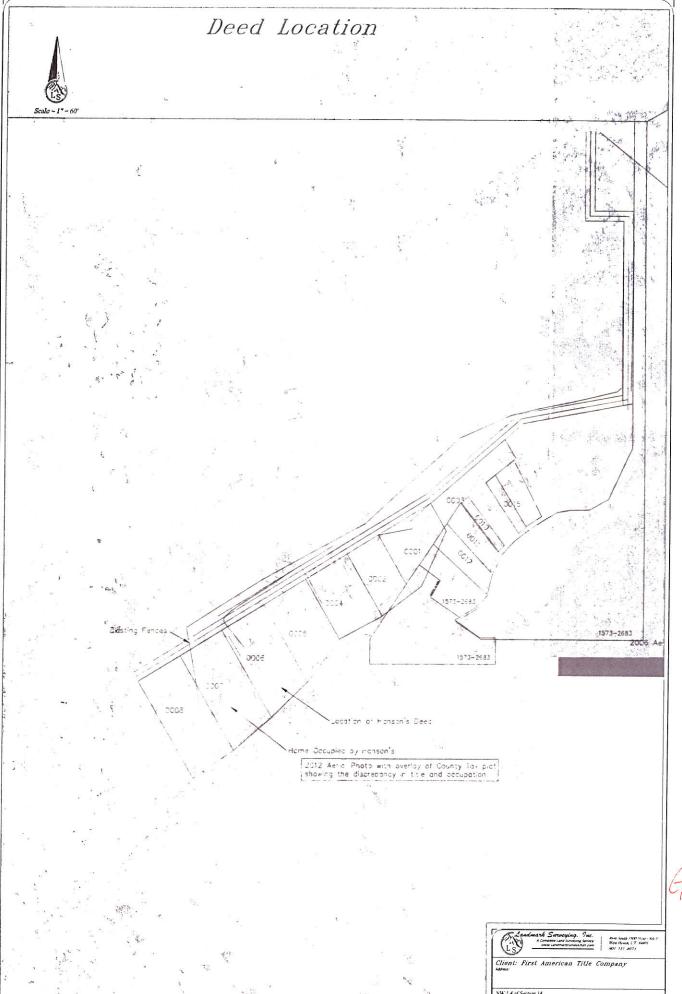
Residing at: Qq Len, Uta My Commission expires: Jan,

(Use black typewriter ribbon only)

20-18 A

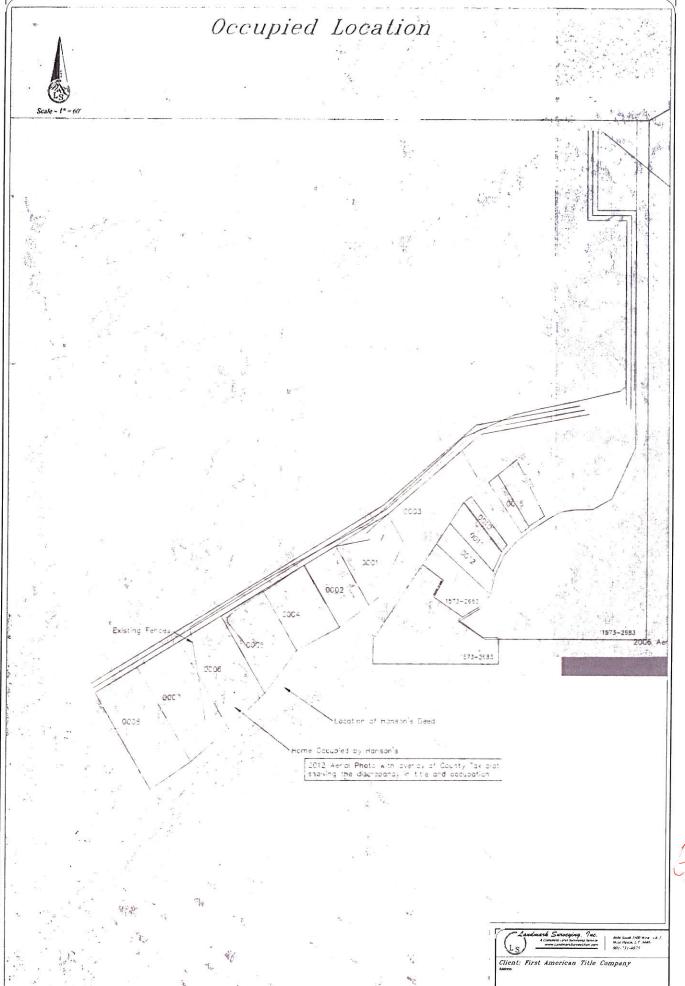


NW 1.4 of Section 14, Township 6 North, Range 2 East, Salt Lake Base and Meridian.









GH

